

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

CARL W. FABIAN,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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CV 111-30

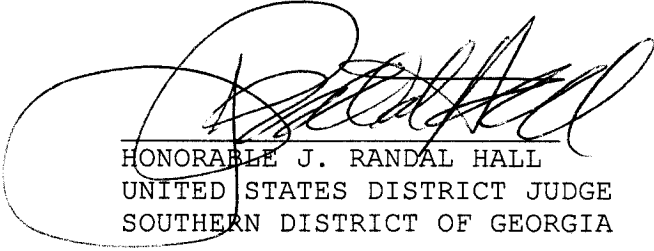
CONSENT ORDER

This Case is before the Court on the Defendant's Consent Motion to Remand this Case to the Commissioner for Further Action under Sentence Four of 42 U.S.C. § 405(g). (Doc. no. 12.) Upon due consideration and the grounds urged in support thereof, the Court hereby **GRANTS** the Motion.

This case is hereby **REVERSED** under sentence four of 42 U.S.C. § 405(g) and **REMANDED** to the Commissioner of Social Security for the administrative law judge ("ALJ") to properly evaluate the opinions of the claimant's treating physicians and explain the weight given to each. If the treating physicians' opinions are not assigned controlling weight, the ALJ should obtain a current assessment of the claimant's functional capacity from a consultative examining physician, who has also conducted a full review of all the evidence in the record.

The Clerk is hereby **DIRECTED** to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

**ORDER ENTERED** at Augusta, Georgia, this 29<sup>th</sup> day of September, 2011.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA